REGISTERED No. M. 7463.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. VII] Trivandrum, Saturday, 6th October 1962 / 14th Asvina 1884 [No. 140

GOVERNMENT OF KERALA

Political & Military 'A' Department

NOTIFICATION

No. 70760|A3|62-1|P&M.

Dated, Trivandrum, 6th October, 1962.

The Government of Kerala announce with deep regret the demise of Dr. P. Subbarayan, Governor of Maharashtra at 9.30 A.M. today the 6th October, 1962.

As a mark of respect to his memory, flags will be flown at half mast in all Government buildings in the State Capital today and all public functions cancelled. All Government offices and Educational institutions in the State will also remain closed today.

By order of the Governor,

K. P. K. MENON,
Chief Secretary.

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REGISTERED No. M. 7163.

KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Law Department

NOTIFICATION

No. 9878-b.2|62|Law.

Dated, Trivandrum, 6th October, 1962.

The following Act of Parliament, published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 12th September, 1962, is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 12th September, 1962.

By order of the Governor,
P. UNNIKRISHNA KURUP,
Additional Law Secretary.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS
TRIVANDRUM, 1962.

THE LAND ACQUISITION (AMENDMENT) ACT, 1962.

(Act 31 of 1962)

An

ACT

further to amend the Land Acquisition Act, 1894, and to validate certain acquisitions under that Act.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Land Acquisition (Amendment) Act, 1962.

2. **Amendment of section 3.**—In section 3 of the Land Acquisition Act, 1894 (1 of 1894), (hereinafter referred to as the principal Act), in clause (e), the following words shall be added at the end, namely:—

"or any other law relating to co-operative societies for the time being in force in any State."

3. **Amendment of section 40.**—In sub-section (1) of section 40 of the principal Act, after clause (a), the following clause shall be inserted, namely:—

"(aa) that such acquisition is needed for the construction of some building or work for a Company which is engaged or is taking steps for engaging itself in any industry or work which is for a public purpose; or".

4. **Amendment of section 41.**—In section 41 of the principal Act,—

(a) for the words "the purpose of the proposed acquisition is to obtain land for the erection of dwelling houses for workmen employed by the Company or for the provision of amenities directly connected therewith, or that the proposed acquisition is needed for the construction of a work, and that such work is likely to prove useful to the public", the words, brackets, letters and figures "the proposed acquisition is for any of the purposes referred to in clause (a) or clause (aa) or clause (b) of sub-section (1) of section 40" shall be substituted;

(b) in clause (4), the word "and" occurring at the end shall be omitted, and after that clause, the following clause shall be inserted, namely:—

"(4A) where the acquisition is for the construction of any building or work for a Company which is engaged or is taking steps for engaging itself in any industry or work which is for a public purpose, the time within which, and the conditions on which, the building or work shall be constructed or executed; and",

5. **Insertion of new sections 44A and 44B.**—In Part VII of the principal Act, after section 44, the following sections shall be inserted, namely:—

"44A. **Restriction on transfer, etc.**—No Company for which any land is acquired under this Part shall be entitled to transfer the said land or any part thereof by sale, mortgage, gift, lease or otherwise except with the previous sanction of the appropriate Government.

44B. **Land not to be acquired under this Part except for certain purpose for private companies other than Government companies.**—Notwithstanding anything contained in this Act, no land shall be acquired under this Part, except for the purpose mentioned in clause (a) of sub-section (1) of section 40, for a private company which is not a Government company.

Explanation.—'Private company' and 'Government company' shall have the meanings respectively assigned to them in the Companies Act, 1956 (1 of 1956).".

6. **Amendment of section 55.**—In section 55 of the principal Act, to sub-section (1), the following provisos shall be added, namely:—

"Provided that the power to make rules for carrying out the purposes of Part VII of this Act shall be exercisable by the Central Government and such rules may be made for the guidance of the State Governments and the officers of the Central Government and of the State Governments:

Provided further that every such rule made by the Central Government shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

7. **Validation of certain acquisitions.**—Notwithstanding any judgment, decree or order of any court, every acquisition of land for a Company made or purporting to have been made under Part VII of the principal Act before the 20th day of July, 1962, shall, in so far as such acquisition is not for any of the purposes mentioned in clause (a) or clause (b) of sub-section (1) of section 40 of the principal Act, be deemed to have been made for the purpose mentioned in clause (aa) of the